

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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April 22, 2013

Mara Berg
MuckRock News
DEPT MR 4964
P.O. Box 55819
Boston, MA 02205-5819

RE: Public Records Act Request

Dear Ms. Berg:

This letter is in response to your correspondence to the California Department of Justice and Office of the Attorney General (DOJ) dated April 12, 2013 in which you sought information in regard to the Public Records Act as set forth in Government Code section 6250 et seq. Specifically, you requested:

All documents or memos regarding guidelines for appropriate office apparel.

While there is no department-wide guideline, attached are guidelines and memorandums issued by Divisions within the Department that address appropriate attire within the office and courtroom.

If you have any questions about this information, or if what we have submitted does not meet the needs of your request, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "FAYE ISIDRO".

FAYE ISIDRO
Associate Personnel Analyst
Hiring and Performance Management
Personnel Programs

For KAMALA D. HARRIS
Attorney General

Attachments



Guidelines for Legal Support Operations Employees

**Legal Support Operations
Division of Administrative Support
Office of the Attorney General**

revised 12/2012

personnel, vendors, and members of the public. They are expected to be cooperative and flexible, take initiative, and exercise common sense and good judgment.

It is natural that in a large office environment people form friendships with individuals and build close relationships with groups of friends. At the same time, it is important to make an effort to maintain positive relationships with everyone, and help others to feel that we are all part of the same team.

MAINTAINING CONFIDENTIALITY

All information about cases or other office matters is strictly confidential, pursuant to numerous laws, rules of legal practice, and administrative regulations. Great care must be taken to ensure that documents, data, records, facts and any other forms of information about cases or other office matters are not disclosed. Except as directed by the appropriate attorney or supervisor, hard copy or electronic documents should not be removed from the office or sent to other parties, and no verbal information should be disclosed to other parties over the phone or in person. In addition, you should not discuss office matters in the elevators, common areas or outside the office.

While it is acceptable to explain to friends or family that you are working on, for example, "a capital case" or "preparation for a big civil trial," it is not acceptable to disclose any identifying details, including the names of the parties or the status of the case. It is important to realize that even the existence of a potential case or the names of potential participants can be extremely sensitive information.

Information about personal, private or administrative matters in the office should also be considered confidential. Such information should not be shared outside the office, and in most cases such information should also not be shared with others in the office.

In most cases, the legal pleadings that are filed in court become matters of public record. Other information about the Department's activities may also be eligible for public disclosure under the California Public Records Act. Please do not make these determinations on your own. Instead, refer all inquiries to the appropriate attorney or supervisor.

LSO's expectation that staff maintain confidentiality about case information and use discretion when it comes to personal information is not intended to restrict your discussions which are protected by the Ralph C. Dills Act (Government Code Section 3512-3524) and /or the Excluded Employees Bill of Rights (Government Code Section 3525-3539.5).

APPROPRIATE OFFICE ATTIRE

We have a responsibility to the people we serve to present an appearance that conveys the respect we have for them, the pride we have in our work in the law office, and the good

judgment we exercise in carrying out our duties as a steward of the public's trust. Employees are expected to apply common sense and good taste to their apparel and to dress appropriately for the type of work to which they are assigned.

MAINTAINING AN ORGANIZED WORKSPACE

All employees are responsible for ensuring that their work areas are kept neat and well-organized, so that their work can be readily accessed when they are unavailable and so that a professional atmosphere is maintained.

CONDUCTING PERSONAL BUSINESS IN THE OFFICE

You are expected to use your working hours performing the assigned duties for which you are paid. While an occasional short personal phone call, e-mail or conversation is usually not a problem, personal business, to the extent it is conducted from the office at all, instead of from home, should only be conducted while on a lunch or rest break. It is not acceptable to use the office phones to conduct personal long distance telephone calls.

Personal phone calls, conversations or other personal business, even if conducted during your lunch or rest break, must not disrupt the work of other employees. In particular, the ringer volume on cell phones should be kept low, cell phones should not be left ringing unattended, and your voice should be kept low during telephone conversations. When enjoying a break in the company of your colleagues, please adjourn to a break room or similar area so as not to disrupt colleagues who are not on the same lunch or rest break schedule.

USE OF RADIOS, IPODS, ETC.

Some employees enjoy listening to music or a newscast while working. In many cases this is permissible, but it is important to be considerate of those around you, especially in cubicle or shared work space, by keeping the volume low. The opportunity to listen to a radio, iPod or similar device is a privilege, not a right, and it will be revoked if your supervisor determines that it is or may be interfering with your own work or the work of others. Listening to streaming audio files or downloading music files from office computers, unless work related, is an inappropriate use of office technology and is not allowed.

USE OF STATE PROPERTY

All State property, including office equipment, office supplies, telephones, computers and software, are to be used for business purposes only. Please note that Internet access and e-mail are also State property; usage can be monitored and employees should have no expectation of privacy when using these systems.

Regional Management shall have the following information ready and available for the Bureau Chief and Press Secretary:

- Names, ages, residences, and professions of suspects;
- Contraband seized, including amount and type, as well as wholesale and street value;
- Charges filed, where booked, bail, arraignment date;
- Agencies involved in the investigation;
- Length and scope of the investigation and whether it is continuing;
- Where the arrests were made;
- Any unusual circumstances such as weapons or explosives seized, assets seized, resistance, etc.

The Press Secretary and the Bureau Chief shall jointly decide upon the method for release of the information. They shall also decide which details will be released and prepare a news fact sheet for media release.

Once the fact sheet has been approved, Regional Management may join with representatives of other law enforcement agencies in joint press conferences.

Joint press releases issued with other agencies shall be reviewed by the affected Bureau Chief in coordination with the Director's Office prior to release, if possible. If not, a copy of the release shall be forwarded to the Bureau Chief and Director's Office as soon as possible.

News media requests for information regarding issues that are sensitive, controversial, related to Bureau, DLE, or DOJ policy or otherwise highly unusual shall be referred to the appropriate Bureau Chief for coordination with the Director's Office.

Routine Media Contacts

Routine contacts with the news media can be handled by Regional Management or designee. Telephone and personal contacts with reporters on routine matters need not be written or printed on DOJ letterhead. These routine contacts shall be noted in the DLE Daily Report under the appropriate heading. Regional Management or designee can provide information to radio, television, and newspaper reporters regarding routine matters.

Task Force Commanders may issue press releases regarding task force activities in accordance with Bureau and Task Force council or executive board policy.

Media Contacts During Enforcement Operations

Regional Management shall notify their Bureau Chief and the PIO/Press Secretary prior to allowing media to accompany DLE personnel on any enforcement activity. However, based on *Wilson vs. Layne*, media personnel are not permitted in any private dwelling. Any media personnel accompanying any DLE enforcement activity shall remain in an area which preserves the right to privacy of the subject of the enforcement activity until a written release from the subject is obtained allowing the media to access private areas.

[top](#)

3.33 Release of Photographs

Official photographs that are part of an investigation, intelligence, or employee personnel files shall not be released or disseminated to the media or general public if there is any concern that doing so could compromise a law enforcement investigation or infringe upon any individual's right to privacy. The decision to release or withhold photographs shall be based upon a consideration of the risk either action could pose to an investigation and the privacy rights of individuals affected by such release. The release of photographs requires prior approval of Regional Management.

[top](#)

3.34 Personal Appearance

DLE employees are expected to wear attire appropriate for the duties of their position and consistent with the professional environment of the Division. At all times while on duty, unless otherwise authorized by Regional Management, employees shall be well-groomed, clean, and appropriately attired. All employees shall avoid clothing and jewelry that may be a safety hazard.

Office workers and any employees who have regular contact with the public shall wear clothing that contributes to a positive work environment. Care shall be taken that an employee's attire does not detract from the professional image of the office.

When appearing as a witness, making public appearances or contacting public officials or professional persons, all employees shall wear appropriate business attire.

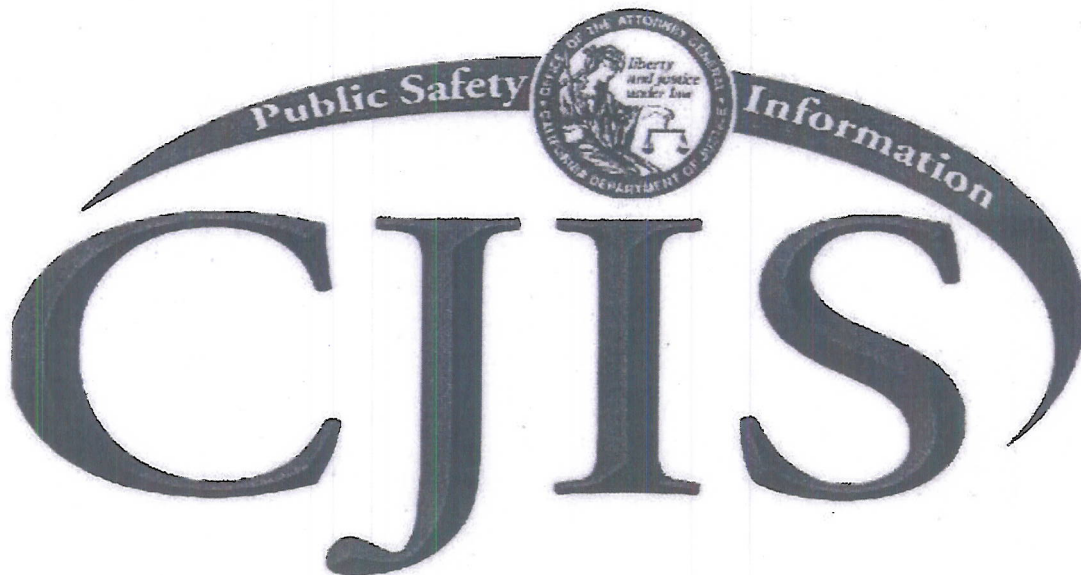
Body Art

All employees are prohibited from displaying any body art, tattoo(s), brand(s), intentional scarring, mutilation, or dental ornamentation while conducting planned enforcement actions such as serving a search warrant, during court appearances, during recruitment events, while meeting public officials, or in any situations where a professional appearance is required.

Section Revised 07/08

[top](#)

Policy and Procedures Manual



**California Justice Information Services Division
California Department of Justice**



**State of California
Office of the Attorney General**

August 2012

The Division Training Coordinator will complete the JUS 232 and JUS 8763; obtain budget approval; and acquire signatures from the employee, the employee's supervisor, and the Director.

After approval from the Director, the Operations Support Program will acquire the signature of the Chief Deputy Attorney General, send the original JUS 232 back to the Division Training Coordinator for processing and enrollment, and keep one copy for the Division files.

Upon receipt of the approved JUS 232, the Division Training Coordinator will enroll the employee into the requested training.

3.23 TV AND AUDIO

Televisions with or without their screens covered are not permitted at the work site.

3.24 WORK ATTIRE

The way we dress at work is a reflection of our personal style and that of our employer. Dressing in a business-appropriate manner presents our organization in the best possible light.

Comfort and individuality do not have to be sacrificed for good taste. Neat, clean clothing (even on "dress down" Fridays) reflects a professional attitude, contributes to a positive work environment, and accurately conveys to visitors that we are a valuable and competent workforce. Unacceptable work attire includes sweat pants, tank tops, halter tops, shorts, cutoffs, swimming suits, surgical clothing, baseball caps, other revealing attire, anything bearing an obscene message, and footwear such as zorries, flip-flops (thongs), or rubber sandals.

4.0 EMERGENCIES - POLICIES/PROCEDURES

4.1 EMERGENCY RESPONSE PLAN

The purpose of the Emergency Response Plan is to promote a continuing state of readiness for the protection of employees in the event of an emergency such as serious illness, injury, fire, earthquake, bomb threat, enemy attack, or explosion.

For emergency information and procedures, reference the Emergency Response Plan for 4949 Broadway on the DOJ Intranet.

Faye Isidro

From: Cindy McGirr
Sent: Tuesday, April 16, 2013 3:30 PM
To: Faye Isidro
Subject: RE: PRA Request

Hi Faye.

When individuals in AWT LA inquire about dress code, this paragraph is provided to them:

There is no formal dress code. DAGs are expected to use good judgment and dress professionally. DAGs are representatives of the Attorney General's Office. DAGs should keep in mind that our office is located in the same building as the Court of Appeal, and that you are likely to mingle (perhaps unknowingly) with court justices and staff.

DAGs should always be ready to wear attire appropriate for court (i.e., have a suit in your office if you're not wearing one) because you may have unexpected court appearances, or you may be asked to cover for DAGs who are absent.

Hope this helps.

Cindy

From: Mark Geiger
To: All-BMFEA DAGS
CC: Tamayo, Margie
Date: 5/18/2012 11:14 AM
Subject: Attire in the Office

I write, once again, to remind you about my expectations for appropriate office attire for the attorneys. It appears that some have relaxed to the point of looking like what I might expect to see behind the DMV counter. We should do better than that.

We are responsible to the Attorney General and to the people we serve to present a professional appearance that conveys both our respect for the public's trust in us and our work on behalf of Medi-Cal. You represent the California Department of Justice: as such, you should apply common sense and good judgment in choosing your attire.

This is first and foremost a law office. Except on "business-casual" Fridays, I expect every attorney to dress to be "court-ready" on a daily basis.

Please ensure your attire comports with the standards I have come to expect to find in every AGO in the state. The general assumption is that you should always be prepared to appear in court: Friday's "business casual" is the lowest dress standard. "Business Casual" does not, in my book, include blue jeans, flip-flops or hiking boots.

Thanks you for your time, attention, and help in adhering to this expectation.

Mark Geiger, Director
Bureau of Medi-Cal Fraud and Elder Abuse
Sr. Asst. Atty. General
Office of the Attorney General
1425 River Park Dr., Suite 300
Sacramento, CA 95815
916/263-2533
mark.geiger@doj.ca.gov

From: Nicholas Paul
To: cpudptdags
Date: 7/15/2012 7:54 PM
Subject: work attire, again
Attachments: Attire in the Office.pdf

I don't see the need, after this one, why I should ever have to further inflict these emails on you or why I should have to further spend my time or your time on this one - but, apparently the word is that we in San Diego still don't seem to have the word. That's just dumb at our end, so let's get this fixed for good and move on to more important things.

If anyone does not understand the policy, please see me asap.

If anyone does not feel they can comply with the policy 100% of the time, please see me asap.

We have a great job in a great area of the law working with great people and we are asked simply to attire ourselves the way 99% of those in government law offices, state and federal, do, so this one is non-negotiable and I don't think we need to spend any more time on it.

Here, once again, is the standard from Sacramento (see the attached email) applicable to the five days from Monday through Friday:

"This is first and foremost a law office. Except on "business-casual" Fridays, I expect every attorney to dress to be "court-ready" on a daily basis. Please ensure your attire comports with the standards I have come to expect to find in every AGO in the state. The general assumption is that you should always be prepared to appear in court: Friday's "business casual" is the lowest dress standard. "Business Casual" does not, in my book, include blue jeans, flip-flops or hiking boots."

I don't think ties or their equivalent are always expected every day of line DAGs absent a court date, as long as you have one ready at hand. But button down shirts etc. are - the standard speaks for itself.

Thanks,

Nick

Nicholas N. Paul
Supervising Deputy Attorney General
Bureau of Medi-Cal Fraud and Elder Abuse
Office of the Attorney General
California Department of Justice
Ofc: (619) 688-6099
Cell: (619) 701-4133
Fax: (619) 688-4200

taking further action.

- State Court:

Appellants have 60 days after they are served with the notice of entry of judgment or a file-stamped copy of the judgment (Cal. Rules of Court, rule 8.104).

- Federal Court:

Appellants have 30 days from the date judgment is entered (Fed. R. App. P. 4(a)(1)(A)).

- b. If no appeal was taken within the applicable period of time, send a closing letter to your client(s) and to the Staff Counsel at CDCR Legal who is assigned to your case. If no one from CDCR Legal was assigned, send it to Assistant General Counsel Jason Krestoff at CDCR Legal. Also copy the prison's litigation coordinator on your letter.
- c. In ProLaw, click on the "Resolution" tab, and fill in the Resolution Date, Resolution Type, and Resolution Notes.
- d. Email your paralegal with your case's ProLaw Matter ID number and ask him/her to close the case and print a snapshot.
- Important: be sure to enter all your time to that case before you ask the paralegal to close it; once the case is closed you will no longer be able to bill to it.
- e. Give your secretary your entire file and the case snapshot and ask him or her to close the case, and to send it to archives.

11. CLS Mission Statement. (See tab # 9.)

12. CLS Roster, current as of June 9, 2008. (See tab # 10.)

13. Confidential CDCR Documents - do not provide confidential documents to inmates; if documents must be produced to counsel, ensure that there is a protective order; file all confidential documents under seal. (See tab # 24.)

14. Court-Call - appear via telephone for state court appearances when allowed and appropriate; discuss with SDAG. Additionally, call the clerk to find out if the inmate's presence via telephone is necessary. If so, ask if the clerk will make the arrangements or if Defendants are expected to make the arrangements.

15. Courtroom demeanor (from February 3, 2004 section meeting agenda): "Stand when judge enters, leaves. If judge is standing, attorney should be standing. If you are speaking, you should be on your feet; sit only if the judge says so. Plaintiff/People are at podium closest to the jury box. No hands in pocket. Dress: a matched suit, no blazer-and-Dockers; white shirt; no cowboy boots and no bolo ties; if in doubt, don't. Do not have cell phone on. Be early. Approach bench only if so instructed. Hand documents to the bailiff/deputy, not directly to the judge. Don't audibly yawn in front of the judge. Be aware of your individual habits and stop them, at least temporarily: tapping foot, rocking in chair, jingling pocket change, tapping fingers, etc." Additionally, bring business cards to provide to the court reporter and clerk.

16. Deposition Admonitions. (See tab # 11.)